

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 04-73405

Plaintiff,

SENIOR U.S. DISTRICT JUDGE
ARTHUR J. TARROW

v.

PAUL MACK,

U.S. MAGISTRATE JUDGE
R. STEVEN WHALEN

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION [45]; DENYING PLAINTIFF'S
MOTION TO VACATE SATISFACTION OF JUDGMENT [37]**

This is a student loan case. The United States of America filed a Complaint [Dkt. 1] against Defendant Paul Mack on September 1, 2004. In the Stipulated Order of Consent Judgment with Partial Payment Provisions [3] entered on September 20, 2004, the Court entered judgment in favor of Plaintiff and against Defendant. The Court ordered deductions from Defendant's wages in payment of the judgment.

On June 11, 2014, Plaintiff entered a Satisfaction of Judgment [36], in which it certified that the judgment in the amount of \$4,957.25 was satisfied in full. On November 14, 2016, Plaintiff filed the present Motion to Vacate Satisfaction of Judgment [37]. Plaintiff stated that in February 2014, it received \$960.00 "by way of offset of the Defendant's federal income tax return" and that "on or about June 11, 2015 the sum of \$960.00 was returned to the Defendant, leaving a balance

owing of \$1,016.32 as of November 14, 2016.” The Court referred Plaintiff’s Motion to the Magistrate Judge on November 15, 2016.

On July 31, 2017, the Magistrate Judge issued a Report and Recommendation (“R&R”) [45] recommending that the Court deny Plaintiff’s Motion to Vacate Satisfaction of Judgment [37]. Neither party filed objections to the R&R. Fed. R. Civ. P. 72(b)(2).

The Court having reviewed the record, the Report and Recommendation [45] is hereby **ADOPTED** and entered as the findings and conclusions of the Court. Accordingly,

IT IS ORDERED that Plaintiff’s Motion to Vacate Satisfaction of Judgment [37] is **DENIED**.

SO ORDERED.

Dated: August 25, 2017

s/Arthur J. Tarnow
Arthur J. Tarnow
Senior United States District Judge